

Message Text

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ACTION EA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 ACDA-19 IO-14 OMB-01 DRC-01 /127 W

----- 053778

R 070944Z NOV 73

FM AMEMBASSY SAIGON

TO SECSTATE WASHDC 8780

INFO AMCONSUL BIEN HOA

AMCONSUL CAN THO

AMCONSUL DANANG

AMCONSUL NHA TRANG

CINCPAC

USDEL JEC PARIS

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E.O.11652: N/A

TAGS: PINT, VS

SUBJECT: UPPER HOUSE AMENDS ITS INTERNAL RULES

1. SUMMARY: IN A NOVEMBER 5 PLENARY SESSION, THE UPPER HOUSE VOTED IMPORTANT CHANGES IN ITS OFFICER AND COMMITTEE STRUCTURE. END SUMMARY.

2. THE UPPER HOUSE IN A PLENARY SESSION NOVEMBER 5 ADOPTED EXTENSIVE AMENDMENTS TO ITS INTERNAL RULES. THESE CHANGES, WHICH REFLECT THE VIEWS OF THE CHAMBER'S NEW PRO-ADMINISTRATION LEADERSHIP, WERE PROPOSED BY 16 SENATORS LAST MONTH AND REPORTED OUT WITH SOME MODIFICATIONS BY THE RULES COMMITTEE. THE COMMITTEE'S PROPOSALS WERE ADOPTED BY VOTES OF 40 OR 41 IN FAVOR, AGAINST JUST A HANDFUL OPPOSED. A FEW OPPOSITION-PROPOSED FLOOR AMENDMENTS WERE ADOPTED BEFORE THE VOTING.

3. HOUSE OFFICERS. THE MOST IMPORTANT CHANGES WERE THE ABOLITION OF THE RULES COMMITTEE AND THE ADDITION OF FOUR NEW OFFICER LIMITED OFFICIAL USE

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POSITIONS TO ASSIST THE UPPER HOUSE CHAIRMAN AND THE TWO DEPUTY

CHAIRMEN. THESE NEW POSITIONS ARE A SECRETARY GENERAL, A DEPUTY SECRETARY GENERAL, AND TWO COMPTROLLERS OF ACCOUNTS. THE SENATORS FILLING THESE FOUR JOBS WILL ASSUME THE FUNCTIONS OF THE FORMER RULES COMMITTEE.

4. STARTING NEXT YEAR, CANDIDATES FOR THESE POSITIONS WILL RUN ON

SLATES TOGETHER WITH CANDIDATES FOR THE CHAIRMANSHIP AND THE DEPUTY CHAIRMENSHIPS. OVER STRONG PROTESTS BY NON-ADMINISTRATION SENATORS, THE HOUSE VOTED TO HOLD THESE ELECTIONS BY OPEN ROLL-CALL VOTE, INSTEAD OF BY SECRET BALLOT AS IN THE PAST. THIS YEAR, A SPECIAL ELECTION WILL BE HELD FOR THE FOUR NEW POSITION ONLY. THIS IS ALREADY SCHEDULED FOR NOVEMBER 10. SENATOR DAO HUU PHAN, THE CURRENT RULES COMMITTEE CHAIRMAN, WILL PROBABLY BE ELECTED SECRETARY GENERAL.

5. BLOCS. THE AUTHORS OF THE NEW RULES ORIGINALLY PROPOSED THAT THE MINIMUM NUMBER OF SENATORS FOR BLOC STATUS SHOULD BE RAISED FROM 15 TO 20, BUT THIS WAS NOT ACCEPTED BY THE RULES COMMITTEE. THE MINIMUM REMAINS 15. SINCE WE ESTIMATE THE MAXIMUM SIZE OF A POTENTIAL ANTI-ADMINISTRATION BLOC AT 17, THE ORIGINAL CHANGE WOULD PROBABLY HAVE PROVOKED SHARP CRITICISM. THE HOUSE LEADERSHIP THUS SAVED ITSELF A CONTROVERSY BY NOT MAKING THIS MOVE. (COMMENT: IT IS NOT AT ALL CERTAIN, HOWEVER, THAT THE ANTI-ADMINISTRATION SENATORS WILL BE ABLE TO FORM A BLOC, DUE MAINLY TO DIFFERENCES OVER WHO WOULD BE BLOC LEADER. SENATORS NGUYEN VAN HUYEN AND VU VAN MAU ARE CONSIDERED BY THEIR SUPPORTERS TO BE ALMOST EQUALLY PRESTIGIOUS CONTENDERS.) AND IT IS THEREFORE DIFFICULT TO FORSEE EITHER YIELDING TO THE OTHER.)

6. IN A RELATED CHANGE, HEADS OF BLOCS ARE NOW MEMBERS OF THE OFFICIAL UPPER HOUSE LEADERSHIP COMMITTEE.

7. PROVISIONS ON JOINT SESSIONS AND CONSTITUTIONAL AMENDMENTS. ALL ARTICLES IN THE OLD UPPER HOUSE RULES DEALING WITH JOINT SESSIONS OF THE NATIONAL ASSEMBLY WERE ELIMINATED, ON THE THEORY THAT THIS IS LOGICALLY SEPARATE AND FURTHERMORE IS COVERED IN THE CONSTITUTION. THIS MEANS, FOR EXAMPLE, THAT THE UPPER HOUSE RULES ON CONSTITUTIONAL AMENDMENTS NOW DEAL ONLY WITH PROPOSALS OF AMENDMENTS BY SENATORS. (COMMENT: SOME OBSERVERS EXPECT THAT THE NATIONAL ASSEMBLY LIMITED OFFICIAL USE

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WILL ADOPT NEW RULES COVERING JOINT SESSIONS, THOUGH APPARENTLY NO SUCH MOVE IS UNDERWAY AT PRESENT. THE CONSTITUTIONAL AMENDMENT PROCESS, WHICH INVOLVES A JOINT SESSIONS, THOUGH APPARENTLY NO SUCH MOVE IS UNDER AT PRESENT. THE CONSTITUTIONAL AMENDMENT PROCESS, WHICH INVOLVES A JOINT SESSION, IS A TOPIC OF CURRENT INTEREST BECAUSE OF SPECULATION THAT PRESIDENT THIEU WISHES A THIRD TERM.)

8. COMMENTS: THE CHANGES

IN THE HOUSE ORGANIZATION MAKE THE UPPER HOUSE STRUCTURE RESEMBLE THAT OF THE LOWER HOUSE. ONE DIFFERENCE, HOWEVER, IS THAT CHAIRMEN OF THE UPPER HOUSE STANDING COMMITTEES WILL STILL BE ELECTED INDIVIDUALLY, RATHER THAN ON A SLATE WITH THE OFFICERS AS IN THE LOWER HOUSE.

9. THE DEBATE NOVEMBER 5, WAS DOMINATED BY THE PRO-ADMINISTRATION MAJORITY, WHICH PRESENTED A SOLID FRONT. HOWEVER, NON-ADMINISTRATION SENATORS COUNTERED SOME OF THE MAJORITY'S POINTS STRENUOUSLY, AND THE MAJORITY DID CONSIDER THEIR VIEWS. THE ONLY SHARP CONFRONTATION CAME WHEN OPPOSITIONISTS PHAM DINH AI AND TRUONG TIEN DAT WALKED OUT OF THE DEBATE AFTER ARGUING SEEMINGLY IN VAIN AGAINST A PROPOSED RULE THAT SENATORS MUST SUBMIT REQUESTS 12 HOURS IN ADVANCE FOR SPEECHES IN THE "FREE DEBATE" PERIOD OF EACH SESSION. SUBSEQUENTLY, OTHER NON-ADMINISTRATION SENATORS CONTINUED THEIR ARGUMENTS, AND THE PROPOSAL WAS FINALLY DROPPED.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: UPPER HOUSE, CENTRAL LEGISLATURE
Control Number: n/a
Copy: SINGLE
Draft Date: 07 NOV 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973SAIGON19102
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: SAIGON
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19731149/aaaabkak.tel
Line Count: 133
Locator: TEXT ON-LINE
Office: ACTION EA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 07 DEC 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <07-Dec-2001 by thigpegh>; APPROVED <02-Jan-2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: UPPER HOUSE AMENDS ITS INTERNAL RULES
TAGS: PINT, VS
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005